

SUMMARY REPORT DIGEST

CHICAGO POLICE DEPARTMENT

COMPLAINT LOG NO.
1048002

TYPE
INFO

DATE OF REPORT (Day-Mo.-Yr.)
29 October 2011

INSTRUCTIONS: To be used in all cases that are to be classified as either EXONERATED, UNFOUNDED, NOT SUSTAINED, or in SUSTAINED cases where the Disciplinary Recommendation does not exceed FIVE (5) DAYS SUSPENSION. SUBMIT ORIGINAL AND 3 COPIES IF ASSIGNED TO SAME UNIT AS ACCUSED. SUBMIT ORIGINAL AND 4 COPIES IF NOT ASSIGNED TO SAME UNIT AS ACCUSED.

TO: ☐ CHIEF ADMINISTRATOR,
INDEPENDENT POLICE REVIEW AUTHORITY ☒ CHIEF,
INTERNAL AFFAIRS DIVISION

FROM -INVESTIGATOR'S NAME Michael K. RYLE	RANK Lt.	STAR NO. 704	EMPLOYEE NO. [REDACTED]	UNIT ASSIGN. 011	UNIT DETAILED DNA
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REFERENCE NOS. (LIST ALL RELATED C.L., C. B., I.R., INVENTORY NOS., ETC., PERTINENT TO THIS INVESTIGATION)

[REDACTED]

ADDRESS OF INCIDENT 4000 W. Polk Street	DATE OF INCIDENT -TIME 25 August 2011 1455	BEAT OF INCIDENT 1132
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ACCUSED	NAME		RANK	STAR NO.	EMPLOYEE NO.	UNIT ASSIGN.	UNIT DETAILED	
	1. Kevin CULHANE		P.O.	14996	[REDACTED]	011	DNA	
	2. Aaron CUNNINGHAM		P.O.	15522	[REDACTED]	011	DNA	
	3.							
	SEX/RACE	D.O.B.	DATE OF APPOINTMENT		DUTY STATUS (TIME OF INCIDENT)			
	1. M/2	[REDACTED] 75	23 Oct 02		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
	2. M/2	[REDACTED] 67	29 Jun 98		<input checked="" type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input checked="" type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
	3.				<input type="checkbox"/> ON DUTY <input type="checkbox"/> OFF DUTY		<input type="checkbox"/> SWORN <input type="checkbox"/> CIVILIAN	
	IF APPLIES, DATE ARRESTED/INDICTED			CHARGES		COURT BRANCH	DISPOSITION & DATE	
	1.							
2.								
3.								
COMPLAINANT	NAME		ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	F/1	[REDACTED] 83 / 28 yrs
VICTIMS	NAME		ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	F/1	[REDACTED] 79 / 31 yrs
WITNESSES	NAME		ADDRESS**	CITY	STATE	TELEPHONE	SEX/RACE	D.O.B./AGE
	[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	F/1	[REDACTED] 79 / 31 yrs

☐ SEE ATTACHED SHEET FOR ADDITIONAL ACCUSED, COMPLAINANTS, VICTIMS, WITNESSES.

**IF CPD MEMBER, LIST RANK, STAR, EMPLOYEE NOS. IN ADDRESS, PAX/BELL IN TELEPHONE BOX.

ALLEGATIONS

Complainant [REDACTED] alleges that on 25 August 2011 at 1455 hours, the accused were assigned to sit at the corners of Polk and Pulaski for a tour due to multiple shootings in the area. [REDACTED] states that a police vehicle is assigned to sit at the corners of Polk and Pulaski daily, 24 hours a day. [REDACTED] alleges that uniformed male white officers assigned to marked SUV # 8375 left the corner, stopping every other vehicle without justification, making U-turns in the middle of the block and harrassing people without justification. [REDACTED] also alleges that victim [REDACTED] had parked [REDACTED] vehicle and was about to exit the vehicle when the accused approached the vehicle from the rear passenger side and beat on the back window without justification. Victim / complainant [REDACTED] alleges the accused had her exit the vehicle, placed her in the police vehicle, radioed for a female officer to come search her and searched the vehicle without justification. [REDACTED] and [REDACTED] allege the accused ran their names from their driver licenses, released [REDACTED] and returned to the corner. The complainants allege that that as they were speaking with the IPRA Investigator, the accused stopped an eighteen wheel truck and construction van without justification.

Briefly summarize the investigation describing your efforts to prove or disprove the allegation(s). Indicate whether witnesses or evidence support or do not support the allegation(s).
In sustained cases ONLY, copies of the accused member's Summary of Previous Disciplinary Actions and Record of Previous Complimentary History will be included as attachments.

SEE ATTACHED SHEET FOR NARRATIVE

SUMMARY

ATTACH- MENTS	INVESTIGATIVE REPORTS- SUPPORTING ALLEGATION LIST ATTACHMENT NUMBERS:	INVESTIGATIVE REPORTS- SUPPORTING ACCUSED MEMBER(S) LIST ATTACHMENT NUMBERS:	PHYSICAL EVIDENCE LIST ATTACHMENT NUMBERS:	TOTAL NUMBER OF ATTACHMENTS SUBMITTED WITH THIS FILE:
	None	None	6a and b, 9a and b	9

Summarize the findings and recommendations. Rule violations will be cited by number only. One overall recommendation for Disciplinary Action will be made by the investigator. The recommendation will be for ALL sustained findings; recommendations will NOT be made for each sustained allegation.
Example: 1. Violation noted, no disciplinary action warranted. 2. That the accused member be reprimanded. 3. That the accused member be suspended for --- days (not to exceed 5 days).

FINDINGS AND RECOMMENDATIONS:

FINDINGS: The complainant [REDACTED] and complainant/ victim [REDACTED] have refused to cooperate with the R/ LT. in this investigation and have not made themselves available to sign an AFFIDAVIT.

RECOMMENDATION: NO AFFIDAVIT - No Conversion.

DEC 29 2011

DATE INITIATED (Date complaint was received for investigation)	DATE COMPLETED (Date of this report)	ELAPSED TIME (Total time expressed in days)
2 September 2011	29 October 2011	58

Investigator will initiate the Command Channel Review form by completing the Investigator's Section.

SUMMARY NARRATIVE:

The R/ Lt. was assigned this investigation on 2 September 2011. On 8 and 9 September 2011, the R/ Lt. attempted to contact the complainant, [REDACTED] via the telephone. Both calls were answered by a female who stated that [REDACTED] was not available (attachment 2a). On 9 September 2011, a Certified Letter was mailed to the complainant requesting that she contact the R/ Lt. regarding this investigation (attachments 4a and b).

The R/ Lt. was on furlough from 15 September 2011 through 2 October 2011, a Request for Time Extension was submitted and approved on 14 September 2011 (attachment 5). On 17 October 2011, the R/ Lt. again attempted to contact the complainant via the telephone regarding this investigation and informed that she was not available (attachment 2a). As of 29 October 2011 the R/ Lt. has not been contacted by the complainant.

Using the CLEAR system, the R/ Lt. checked the 011th District 3rd watch A and A sheets for 25 August 2011 and determined that P.O. Kevin CULHANE # 14996 and P.O. Aaron CUNNINGHAM #15522 were using vehicle # 8375 on the date and time indicated in the complaint (attachment 6a and b). Subsequently they have been listed as the accused officers in this complaint, Notification half sheets indicating this information were completed and forwarded to I.A.D attachments 7 and 8).

On 17 October 2011 @ 1515 hours, the R/ Lt. spoke with the victim / complainant [REDACTED] via a telephone conversation. [REDACTED] stated she felt that the officers accused in this complaint "harassed" her and her friend for no reason. She related that she had been sitting in a parked vehicle at Polk and Pulaski and that the accused had been sitting in their squad car harassing people as they drove by. She related that the officers made her get out of her car, placed her in a squad car and had another officer (a female) search her. She agreed to meet with the R/ Lt. to sign an Affidavit and further discuss her complaint on Thursday 20 October 2011 between 1000 and 1600 hours (attachment 2c). As of 1330 hours on 21 October 2011, the R/ Lt. had not received any messages or correspondence from [REDACTED]. A Certified Letter was mailed to her address reported on the Face Sheet. The receipt for the Certified Letter was received by the R/ Lt. on 29 October 2011 indicating that the letter was delivered on 26 October 2011 (attachments 3a – c) As of 29 October 2011, the R/ Lt. has not received any messages or correspondence from ALLEN (attachment 2c).

In that this investigation has been open for 58 days and neither complainant has made an effort to contact the R/ Lt. after telephone calls and Certified Letters were sent, it is recommended that this investigation be closed with a Finding of NO AFFIDAVIT – No Conversion.

INDEX TO ATTACHMENTS

1a-c	Face Sheet.
2a-b	R / Lt.'s Investigation
3a-c	Certified Letter and Receipts to [REDACTED]
4a-b	Certified Letter and Receipts to [REDACTED]
5	Request for Time Extension.
6a-b	Copies of A and A sheets for 25 August 2011 3 rd watch.
7	Notification Half Sheet – Identified - CULHANE
8	Notification Half Sheet – Identified - CUNNINGHAM
9a-b	Rap Sheet [REDACTED]